



COUNCILMEMBER DONNA FRYE
Council District Six
City of San Diego

M E M O R A N D U M

DATE: March 18, 2010
TO: City Attorney Jan Goldsmith
FROM: Councilmember Donna Frye *Donna Frye*
SUBJECT: Item # 50- Lease Revenue Refunding Bonds, Series 2010A

In 2008, voters approved Proposition C which “*amended the Charter of the City of San Diego designating the use of lease revenue from Mission Bay Park. Shall the City Charter be amended requiring that annual lease revenue generated in Mission Bay Park exceeding \$23 million initially and decreasing to \$20 million after 5 years be appropriated 75% for capital improvements in Mission Bay Park and 25% for capital improvements in Chollas Lake, Balboa, Mission Trails, Otay River Valley, Presidio and San Diego River Parks; open space parks; coastal beaches and contiguous coastal parks; and future regional parks.*”

- 1) Three City owned Mission Bay properties (Paradise Point Resort, Dana Inn and Morena, and Islandia Hyatt Regency) are proposed to be leased under the lease revenue bonds structure. Please provide a written legal opinion as to whether this action is legal.
- 2) At the City Council meeting on March 9, 2010, I requested a copy of the tax analysis performed by Tax Counsel determining that the 1996A Stadium Bonds are eligible to be refunded on a tax exempt basis. Please provide that analysis to me by March 19, 2010.

CC: Honorable City Councilmembers
Andrea Tevlin, Independent Budget Analyst